

RECEIVED
CENTRAL FAX CENTER

JUL 05 2006

**FACSIMILE TRANSMISSION
TO THE UNITED STATES PATENT AND TRADEMARK OFFICE**

(571) 273-8300

TO: EXAMINER: Michael Lee

EXAMINER'S TELEPHONE NUMBER (571) 272-

ART UNIT: 2614

SERIAL NO. 09/675,251

FROM: EDWARD W. GOODMAN,

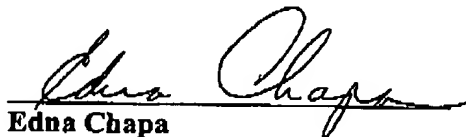
REGISTRATION NUMBER: 28,613

**PHILIPS ELECTRONICS NORTH AMERICA CORPORATION
P.O. BOX 3001
BRIARCLIFF MANOR, NEW YORK 10510**

TELEPHONE: (914) 333-9611

Enclosed: Appeal Brief

I certify that this document consisting of 21 pages (including this cover sheet) is being transmitted via facsimile to the United States Patent and Trademark Office at the telephone number set forth above on July 05, 2006.


Edna Chapa

JUL 05 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re Application of

Atty. Docket

ROBERT A. BARNES ET AL.

PHN 17,661

Serial No.: 09/75,251

Group Art Unit: 2614

Filed: September 29, 2000

Examiner: Michael Lee

Title: PICTURE SIGNAL PROCESSING


Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Enclosed is an original copy of an Appeal Brief in the
above-identified patent application.

Please charge the fee of \$500.00 to Deposit Account
No. 14-1270.

Respectfully submitted,

By 
Edward W. Goodman, Reg. 28,613
Attorney
(914) 333-9611

JUL 05 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re Application of

Atty. Docket

ROBERT A. BARNES ET AL.

PHN 17,661

Serial No.: 09/675,251

Group Art Unit: 2614

Filed: September 29, 2000

Examiner: Michael Lee

PICTURE SIGNAL PROCESSING

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

APPEAL BRIEF07/06/2006 HNGUYEN1 00000064 141270 09675251
01 FC:1402 500.00 DA

PHN17661-BRIEF-070206

1

JUL 05 2006

TABLE OF CONTENTS

Identification	1
Table of Contents	2
Real Party in Interest	3
Related Appeals and Interferences	4
Status of Claims	5
Status of Amendments	6
Summary of Claimed Subject Matter	7 - 9
Grounds of Rejection to be Reviewed on Appeal	10
Argument	11 - 13
Claim Appendix	14 - 17
Evidence Appendix	18
Related Proceedings Appendix	19

(i) Real Party in Interest

The real party in interest in this application is U.S. PHILIPS CORPORATION, a wholly owned subsidiary of KONINKLIJKE PHILIPS ELECTRONICS N.V., by virtue of an assignment from the inventors recorded on September 29, 2000, at Reel 011192, Frame 0596.

(ii) Related Appeals and Interferences

There are no other appeals and/or interferences related to this application.

(iii) Status of Claims

Claims 1-4, 6-8 and 10 stand finally rejected by the Examiner.

Claims 5, 9 and 11-13 have been allowed.

(iv) Status of Amendments

There was one Response filed on March 20, 2006, after final rejection of the claims on February 22, 2006, this Response having been considered by the Examiner.

(v) Summary Of Claimed Subject Matter

The subject invention relates to a method and apparatus for supplying an analog picture signal and a quality indication relating to the analog picture signal, as well as to a method and apparatus for receiving the analog picture signal and the quality indication, and for processing the analog picture signal in dependence on the quality indication.

The invention is based on the recognition that sending a quality indication with an analog picture signal allows a TV to determine the characteristics of the source material and, hence, make an informed selection of algorithm. A better picture quality will result from the application of a more appropriate processing to the signal. Giving a picture signal processing unit the information it needs to enable it to do the appropriate optimization, prevents it from "optimizing" a picture that is already OK, or from "optimizing" it in the wrong way. For example, if the quality of the analog picture signal is low, because the digital picture signal from which the analog picture signal has been retrieved had been encoded at a low quantization level, a low bit-rate and/or a high compression ratio, a picture signal enhancement operation, such as, a peaking or histogram operation to improve sharpness and/or contrast, would only render the blocking artifacts more visible. So, if the quality indication indicates a low quality, a peaking operation is preferably switched off. On the

other hand, mosquito noise present in a low-quality signal could be reduced by appropriately adjusting a noise reduction operation forming part of the picture signal processing PSP in dependence upon the quality indication. The TV can accommodate different sources, with different (and possibly dynamically changing) signal qualities.

In particular, the subject invention, as claimed in claims 1 and 6, includes "means for receiving an analog picture signal and a quality indication relating to the analog picture signal". This is shown in the Figure, and described in the Substitute Specification on page 3, line 18 to page 4, line 7, in which a television receiver TV includes inputs for the analog picture signals APS1, APS2 and the corresponding quality indications QI1, QI2, the analog picture signals being applied to inputs of switch S1 and the quality indications to the inputs of switch S2.

In addition, the subject invention, as claimed in claims 1 and 6, includes "means for processing the analog picture signal in dependence on the quality indication". This is shown in the Figure, and described in the Substitute Specification on page 4, lines 7-13, in which the selected analog picture signal is applied to picture signal processor PSP, while the selected quality indication is applied to a picture signal control PSC for controlling the picture signal processor PSP in dependence on the selected quality indication.

As claimed in claims 8 and 10, the subject invention includes "means for supplying an analog picture signal". This is shown in the Figure, and described in the Substitute Specification on page 2, lines 18-25, in which a record player RP applies a digital video signal to a decoder DEC1 which supplies therefrom an analog picture signal.

The subject invention further includes, as claimed in claims 8 and 10, "means for supplying a quality indication relating to the analog picture signal". This is shown in the Figure, and described in the Substitute Specification on page 3, lines 1-4, in which the decoder DEC1 also supplies a quality indication relating to the analog picture signal. As described in the Substitute Specification on page 3, lines 4-11, "the first quality indication QI1 is the bit-rate and/or the compression ratio and/or the quantization level at which the digital picture signal has been encoded and/or other information about the encoding or decoding, such as information about the level of compression via inverse quantization process and/or quantizer matrix (for intra and non-intra pictures) when the default ones are not used and/or intra-dc-precision and/or information when a decoding error happened."

(vi) Grounds of Rejection to be Reviewed on Appeal

- (A) Whether the invention, as claimed in claims 1-4, 6-8 and 10, is anticipated, under 35 U.S.C. 102(e), by U.S. Patent 6,078,360 to Doornhein et al.

(vii) Arguments

(A) The Doornhein et al. patent discloses a television signal comprising additional data, in which along with a television signal, an additional data signal, comprising static control information bits pertaining to properties of the television signal, is transmitted, received and used by the receiver in processing the corresponding television signal. One property of the television signal specifically disclosed by Doornhein et al. is that the additional data signal denotes the aspect ratio of the television signal.

The subject invention, as claimed in claim 1, includes "receiving an analog television signal along with a quality indication relating to the analog picture signal" and "processing the analog picture signal in dependence on the quality indication".

The Examiner states "In column 4, lines 25-28, Doornhein disclose a format conversion for converting a television image with aspect ratio 4:3 to aspect ratio 16:9 in accordance with the aspect ratio control information. The conversion obviously changes the resolution of the original image because some pixels are either added or deleted in the final image signal. Since the conversion is depended on the aspect ratio information, a quality indication signal, Doornhein clearly meets the claimed invention."

Appellants submit that the Examiner is only partially correct, i.e., while Doornhein et al. shows an additional signal being sent

with the picture signal, and the picture signal being processed in dependence on the additional signal, Doornhein et al. neither shows or suggests that the additional signal is a "quality indication relating to the analog picture signal."

According to U.S. standards, all HDTV signals are widescreen (16:9), and as such, any signal of 4:3 aspect ratio is a "standard signal". Appellants would like to point out, however, that these so-called standard signals may be broadcast in either the standard aspect ratio (4:3) or in widescreen (16:9). In particular, DVDs are currently available having the same programming in both standard aspect ratio (4:3) as well as widescreen (16:9). It should be noted that DVDs are not HDTV.

Hence, Appellants submit that the additional data signal indicating the aspect ratio of an accompanying video signal of Doornhein et al., does not in itself convey "a quality indication relating to the analog picture signal" as specifically claimed in claim 1, but rather, the additional data signal indicating aspect ratio is an attribute indication which indicates an attribute of the analog picture signal.

As described in the Substitute Specification on page 4, line 16 to page 5, line 13, by receiving a quality indication along with the analog picture signal, a television is able to generate a better picture quality in that more appropriate processing of the analog picture signal will be performed.

Based on the above arguments, Appellants believe that the subject invention is neither anticipated nor rendered obvious by the prior art and is patentable thereover. Therefore, Appellants respectfully request that this Board reverse the decisions of the Examiner and allow this application to pass on to issue.

Respectfully submitted,

by 
Edward W. Goodman, Reg. 28,613
Attorney

(viii) Claims Appendix

1. (Previously Presented) A picture signal processing method comprising the steps:

receiving an analog picture signal and a quality indication relating to the analog picture signal; and

5 processing the analog picture signal in dependence on the quality indication.

2. (Previously Presented) The method as claimed in claim 1, wherein the processing step includes a picture enhancement operation.

3. (Previously Presented) The method as claimed in claim 2, wherein the picture enhancement operation is a sharpness and/or contrast improving operation.

4. (Previously Presented) The method as claimed in claim 2, wherein the picture enhancement operation is a noise or encoding artifact reduction operation.

5. (Previously Presented) A picture signal processing method comprising the steps:

receiving an analog picture signal and a quality indication relating to the analog picture signal; and

5 processing the analog picture signal in dependence on the quality indication,

wherein the analog picture signal is formed by decoding a digital picture signal having been encoded at a bit-rate and/or at a compression ratio and/or at a quantization level, and wherein the
10 quality indication is the bit-rate and/or the compression ratio and/or the quantization level and/or other information about the encoding or decoding.

6. (Previously Presented) A picture signal processing device, comprising:

means for receiving an analog picture signal and a quality indication relating to the analog picture signal; and

5 means for processing the analog picture signal in dependence on the quality indication.

7. (Previously Presented) A television receiver comprising:

the picture signal processing device as claimed in claim 6 for furnishing a processed picture signal; and

means for displaying the processed picture signal.

8. (Previously Presented) A picture signal supplying method comprising the steps:

supplying an analog picture signal; and

supplying a quality indication relating to the analog
5 picture signal.

9. (Previously Presented) A picture signal supplying method comprising the steps:

supplying an analog picture signal; and

supplying a quality indication relating to the analog
5 picture signal,

wherein the analog picture signal is formed by decoding a digital picture signal having been encoded at a bit-rate and/or at a compression ratio and/or at a quantization level, and wherein the quality indication is the bit-rate and/or the compression ratio
10 and/or the quantization level and/or other information about the encoding or decoding.

10. (Previously Presented) A picture signal supplying device, comprising:

means for supplying an analog picture signal; and

means for supplying a quality indication relating to the
5 analog picture signal.

11. (Previously Presented) A picture signal supplying device,
comprising:

means for supplying an analog picture signal; and

5 means for supplying a quality indication relating to the
analog picture signal,

wherein the picture signal supplying device further comprises:

means for decoding a digital picture signal having been
encoded at a bit-rate and/or at a compression ratio and/or at a
quantization level, to furnish the analog picture signal, the
10 quality indication being the bit-rate and/or the compression ratio
and/or the quantization level and/or other information about the
encoding or decoding.

12. (Previously Presented) A record player comprising:

means for retrieving a digital picture signal from a
record; and

the picture signal supplying device as claimed in claim
5 11.

13. (Previously Presented) A picture signal receiver comprising:

means for receiving a digital picture signal; and

the picture signal supplying device as claimed in claim
11.

(ix) Evidence Appendix

There is no evidence which had been submitted under 37 C.F.R. 1.130, 1.131 or 1.132, or any other evidence entered by the Examiner and relied upon by Appellant in this Appeal.

(x) Related Proceedings Appendix

Since there were no proceedings identified in section (ii) herein, there are no decisions rendered by a court or the Board in any proceeding identified pursuant to paragraph (c) (1) (ii) of 37 C.F.R. 41.37.